

Theodore H. Kuyper

From: Keith J. Keogh
Sent: Saturday, July 27, 2024 5:23 PM
To: Larson, Anne E.
Cc: Theodore H. Kuyper; Sedaei, Sam; Grillo, Sam A.
Subject: Re: Jenkins v. Regal Cinemas, Inc. Case No. 20-cv-3782: Plaintiff's Rejection of Regal's \$100,000 Counteroffer [ODNSS-OGL.100843.000005]

Anne

I really don't understand the posturing.

Judge Cole clearly disagrees with your valuation and not a single court has adopted any of your arguments.

I'm sure Regal is happy you guaranteed they have no risk besides paying you to raise novel defenses.

Regardless, we didn't settle and will move on just like any other case. So rather than posture, please respond to Ted's discovery requests as you clearly have time to do so.

Keith J. Keogh
Keogh Law Ltd.
55 W. Monroe, Ste. 3390
Chicago, IL 60603
312.726.1092
KeoghLaw.com

Sent from my iPhone

On Jul 27, 2024, at 5:04 PM, Larson, Anne E. <anne.larson@ogletree.com> wrote:

Keith you once again miss the point. Plaintiff has all the risk. Regal has none based on the bankruptcy court order.

But you are right that Regal will pay my attorneys' fees. Thanks, Anne.

Anne E. Larson | Ogletree

[155 N Wacker Dr, Ste 4300 | Chicago, IL 60606](#) | Telephone: [312-558-1253](#) | Fax: [312-807-3619](#)
anne.larson@ogletreedeakins.com | www.ogletreedeakins.com | [Bio](#)

On Jul 27, 2024, at 4:16 PM, Keith J. Keogh <keith@keoghlaw.com> wrote:

[Caution: Email received from external source]

Anne

One thing you seem to consistently omit is your fees and any litigation expenses are part of the self insured retention.

Such that even if plaintiff is required to exhaust it first, that will happen if we prove a negligent violation.

If we prove a knowing violation, the claim is over \$3mm plus fees and costs so we are comfortable moving forward and trying this one as there would be no dispute the insurance policy would cover the claim.

Keith J. Keogh
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Sent from my iPhone

On Jul 27, 2024, at 4:08 PM, Larson, Anne E.
<anne.larson@ogletree.com> wrote:

Keith, Regal understands that the mediator's proposal was unsuccessful. Unlike plaintiff, the bankruptcy court order leaves Regal with no economic risk from a verdict either under or over the policy's SIR.

The purpose of Regal's email below was to memorialize that plaintiff rejected Regal's "best and final" counteroffer. Have a good weekend. Thank you, Anne.

Anne E. Larson | Ogletree Deakins
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From: Keith J. Keogh <keith@keoghlaw.com>
Sent: Saturday, July 27, 2024 3:37 PM
To: Larson, Anne E. <Anne.Larson@ogletreedeakins.com>
Cc: Theodore H. Kuyper <Tkuyper@Keoghlaw.com>; Sedaei, Sam <sam.sedaei@ogletreedeakins.com>; Grillo, Sam A. <samuel.grillo@ogletreedeakins.com>
Subject: Re: Jenkins v. Regal Cinemas, Inc. Case No. 20-cv-3782:

Plaintiff's Rejection of Regal's \$100,000 Counteroffer [ODNSS-
OGL100843.000005]

[Caution: Email received from external source]

Anne

I believe you are forgetting that you rejected the magistrate's recommendation that the parties settle for \$175,000.00.

Keith J. Keogh
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Sent from my iPhone

On Jul 27, 2024, at 3:29 PM, Larson, Anne E.
<anne.larson@ogletree.com> wrote:

Re: *Jenkins v. Regal Cinemas, Inc.*
Case No. 20-cv-3782

During the parties' July 22, 2024, settlement conference, defendant Regal Cinemas, Inc. ("Regal") made this "best and final" counteroffer: **\$100,000** (inclusive of attorneys' fees), subject to plaintiff signing a general release of all claims and agreeing to strict confidentiality, no re-hire and non-disparagement covenants.

This email confirms that plaintiff rejected Regal's **\$100,000** "best and final" counteroffer at the conclusion of the settlement conference. Plaintiff's rejection of Regal's \$100,000 counteroffer was conveyed to Regal by Magistrate Judge Cole. Thank you, Anne.

Anne E. Larson | Ogletree Deakins

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